

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
Grayling Davis,)	
Petitioner,)	
v.)	Civil Action No. 1:04-10386-MLW
)	
Bernard Brady, Superintendent,)	
Old Colony Correctional Center,)	
Respondent.)	
_____)	

Motion for Waiver of Fees
(Notice of Appeal and Appeal Docketing)

Grayling Davis, Petitioner, hereby moves for leave of court to waive the fees for the filing of his notice of appeal, docketing of his appeal, and any related filing fees. In support thereof, Davis relies upon the following:

1. Following his conviction and unsuccessful appeal in the Massachusetts courts, Davis filed a habeas petition under 28 U.S.C. § 2254 challenging the soundness of his Massachusetts convictions. The district court denied the habeas petition on March 26, 2007.
2. The Massachusetts Committee for Public Counsel Services (CPCS) appointed Attorney David Mark to represent Davis in the preparation and filing of his habeas petition. For reasons unrelated to this case, Attorney Mark withdrew from the case after filing the habeas petition. CPCS appointed the undersigned to represent Davis. Subsequent to my appointment, I filed my Appearance and a Memorandum in support of Davis' habeas petition.
3. Mr. Davis is incarcerated. He has remained incarcerated throughout my

representation of him.

4. My sole compensation has been and will be from CPCS as appointed counsel to Mr. Davis. I have not accepted, and will not accept, payment from Mr. Davis or any individual or other entity acting on his behalf.

Wherefore, Grayling Davis, Petitioner, hereby moves for leave of court to waive the fees for the filing of his notice of appeal, the docketing of his appeal, and any related filing fees.

Respectfully submitted,
Grayling Davis,

By /s/ James M. Fox
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March 29, 2007